

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231*mk*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/311,918 05/14/99 CHASE

M 20160/1

 EXAMINER

TM02/0910

DAVID D LOWRY
BOX IP 18TH FLOOR
BROWN RUDNICK FREED AND GESMER PC
ONE FINANCIAL CENTER
BOSTON MA 02111

LILLIS

ART UNIT

PAPER NUMBER

2173

DATE MAILED:

09/10/01

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)
	09/311,918	CHASE ET AL.
Examiner	Art Unit	
Sy D Luu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) Responsive to communication(s) filed on 7/2/2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) All b) Some * c) None of the CERTIFIED copies of the priority documents have been:
1. received.
2. received in Application No. (Series Code / Serial Number) _____ .
3. received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive the Request for Reconsideration, filed 7/2/2001.
2. Claims 1-20 are pending in this application. Claims 1, 14 and 18 are independent claims. This action is made Final.

Claim Rejections - 35 USC 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable Farros et al. (“Farros”, US # 5,930,810) in view of Cheng et al. (“Cheng”, US # 6,012,070).

As per claim 1, Farros teaches an interactive image display system for displaying a printed article as it will appear when printed comprising: a user interface component (fig. 4, element 308), to accept information from a user for producing said printed article (col. 2, lines 60-65), and to display a graphic image representing said printed article to said user (fig. 5; col. 2, lines 55-60); a graphic layout component (fig. 1, Front-end operations 100; col. 4, lines 17-27), to process said information and produce graphic description files based on said information (fig. 1, electronic files 117-119), said graphic description files to be used in a batch printing process for printing said printed article (col. 2, lines 65-67); and an image producing component, to process said graphic description files and produce said graphic image based on said graphic description files, said graphic image for display to said user by said user interface component (col. 4, lines 39-48).

Art Unit: 2173

Farros does not teach said graphic description files to be one file and being the only file needed for the batch printing process. Cheng teaches a digital design station allowing users to create a customized form or brochure in an electronic format (file) using templates containing graphics before transmitting the information to a remote printing installation (abstract, lines 5-12; col. 2, lines 27-43). Cheng further indicates said electronic format (file) to be created as a Postscript graphic description file at the printing site (fig. 14, element 110; col. 10, col. 10, lines 52-53). It would have been obvious to an artisan at the time of the invention to combine Cheng's teaching of using only one graphic description file for the batch printing process with Farros in order to simplify the management of files to be transmitted as well as to improve on the efficiency and compactness of information to be transmitted to a remote printing installation.

As per claim 2, Farros teaches said user interface component to maintain said information from said user, allowing said user to modify a part of the information in order to view changes in said displayed printed article (col. 2, lines 60-65).

As per claims 3 and 4, Farros teaches said user interface component to maintain said information from said user, allowing said graphic layout component to produce a graphic description file, and said image producing component to produce a graphic image for a different printed article, and said information maintained by said user interface component to be used for preparing a print job for said user (col. 4, lines 16-48).

As per claims 5-7, Farros teaches said graphic image to be displayed with a background image representing an article to be printed on, wherein said background image is an image of paper stock to be printed on and said background image is sized to be the same size as said graphic image (col. 6, lines 58-65; fig. 10, elements 1007-1011).

Art Unit: 2173

As per claim 8, although Farros does not expressly disclose that the user can modify font sizes by specifying a percentage increase or decrease, Farros does teach that the users can modify font sizes (col. 8, lines 65-67). Since it is well known in the art that one of the manner that users can modify font sizes for display or printing is by specifying a percentage increase or decrease, it would have been obvious to an artisan at the time of the invention to include such a feature with Farros system to further provide a quick and easy means for a user's to modify font sizes.

As per claim 9, Farros teaches said graphic description file to be a Postscript file (col. 4, lines 42-43), and Cheng also indicates said electronic format (file) to be a Postscript graphic description file (fig. 14, element 110; col. 10, col. 10, lines 52-53).

As per claims 10-11, Farros teaches said information from said user to include an indication of a predefined template, said predefined template including layout information for a printed article; and said graphic layout component, uses said predefined template to produce said graphic description file, and said predefined template includes at least one area for printing (col. 4, lines 21-27).

As per claim 12, Farros teaches said interactive display system to provide graphic images representing a plurality of related printed articles from said information from said user (col. 4, lines 21-30).

As per claim 13, Farros teaches said user interface component interacts with said user over the internet (col. 7, lines 7-10).

Claim 14 is similar in scope to the combination of claims 5 and 11, and is therefore rejected under similar rationale.

Art Unit: 2173

Claims 15-16 are similar in scope to claims 6-7 respectively, and are therefore rejected under similar rationale.

As per claim 17, Farros teaches the method to include the steps of: upon receiving an indication that said printed article is to be printed, storing said text information and an indication of said selected predefined template along with an order indication number; and upon receiving an indication that said printed article is ready to be printed, producing a graphic description file based on said text information and predefined template, said graphic description file to be used for said printing process (col. 5, lines 12-32).

Claims 18 and 19-20 are similar in scope to claims 2 and 12-13 respectively, and are therefore rejected under similar rationale.

Response to Arguments

5. Applicant's arguments filed 7/2/2001 have been fully considered but they are not persuasive.

Applicant argues that: (a) Cheng does not disclose the user transmitting a postscript file in electronic format; (b) by reciting "obtaining text information to be printed on said printed article", claim 14 does not recite the same subject matter as claims 5 and 11; and (c) by reciting "means for interacting with a user for obtaining and modifying information for producing said printed article", claim 18 does not recite the same subject matter as claim 2.

The Examiner disagrees for the following reasons:

Per (a), as pointed out in the rejection of claim 1, by allowing users to create a customized form or brochure in electronic format (file), Cheng in effect indicates that users

Art Unit: 2173

create one electronic entity (file), which is a graphic description file, before transmitting to the remote printing installation. Furthermore, since Cheng discloses that the transmitted information is constructed as a Postscript graphic description file at the printing site, it would have been obvious to an artisan at the time of the invention that having the transmitted single file constructed as a Postscript file at either the user's site or at the printing site is a choice of implementation as long as the same result is achieved. Moreover, while Farros teaches the production of more than one graphic description file, rather than a single file, based on information from a user to be used for a batch printing process, Cheng teaches the construction of a single graphic description file at the printing site prior to printing based on the transmitted information. It would have been obvious to an artisan at the time of the invention to package the graphic information of Farros as one single entity in the manner as taught by Cheng before transmitting to the remote printing site in order to simplify the management of files to be transmitted as well as to improve on the efficiency and compactness of information to be transmitted.

Per (b), claim 11, which is dependent on claims 10 and 1, recites the use of layout information for the printed article, and the information is obtained from a user via a user interface. Farros discloses a layout information wherein information including text is obtained from a user to be printed on the printed article (fig. 5; col. 7, line 64 – col. 8, line 2). Thus, claim 11 would have been obvious to be similar in scope to claim 14.

Per (c), claim 2, which is dependent on claim 1, recites “a user interface component, to accept information from a user for producing said printed article”, and “wherein said user interface component ...allowing said user to modify a part of said information.” It would have

Art Unit: 2173

been obvious that the user interface component is the interacting means for a user to accept (obtain) and modify information. Thus, claim 2 would have been obvious to be similar in scope to claim 18.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquires

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The

Art Unit: 2173

examiner can normally be reached on Monday - Thursday from 6:30 am to 4:00 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116.

The fax number for the organization where this application or proceeding is assigned is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Sy D. Luu
Patent Examiner
September 7, 2001



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173